

FREDERICK SCHONMAKER—HEIRS OF.

FEBRUARY 2, 1855.—Laid upon the table, and ordered be printed.

Mr. EDDY, from the Committee on Revolutionary Claims, made the following

REPORT.

The Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Frederick Schonmaker, submit the following report:

The petitioners claim reimbursement for alleged expenditures by Captain Frederick Schonmaker, in behalf of the United States, during the revolutionary war.

They state, in substance, that previous to that war he was the owner of a large property, real and personal, in the county of Ulster, New York; that as early as 1775 he was commissioned captain of a company of provincial militia, and again in 1778, of the State, and as such was in the service, with few intervals, from the commencement to the close of the war; often bearing the whole expense of his command upon its several tours of duty. But the memorialists ingenuously admit that they are unable to specify any particular services rendered by their ancestor as such officer.

Living near the frontier line, and therefore much exposed to the depredations of the tories and Indians, he enlarged and fortified his dwelling for the protection of himself and of the neighborhood. It became, in consequence, the refuge of the defenceless in times of alarm and danger, and was especially so to the inhabitants driven from Kingston when that town was burned by the enemy, who were provided with shelter and food through the munificent hospitality of its possessor. By reason of these expenditures and sacrifices, he was left at the close of the war largely in debt, which ultimately resulted in the entire loss of his property. These misfortunes so impaired his mind that, about the year 1803, he became insane, which continued until his death in 1819.

The memorialists aver that the amount thus expended by Captain Schonmaker was not less than fifty thousand dollars; and that if the resulting loss of property is to be considered in the same connexion, then double that sum would scarcely be a remuneration.

Accompanying the petition are vouchers found herewith, and numbered from 1 to 23, inclusive. As the memorialists claim that they corroborate the allegations contained in their petition, the committee have examined them with care and with every disposition to give to them a fair and just consideration. Of their genuineness they do not entertain a doubt. But after a diligent investigation of them, they are unable to

perceive that one or any of them has the slightest merit as a claim upon the treasury of the United States. Vouchers 1, 2, 3, and 4, have only even a remote reference to the public service, amounting to the inconsiderable sum of \$154; and if we consider the depreciated currency of the times in which these advances were paid, as evidenced by the vouchers themselves, then one-third of that sum would cover every expenditure therein named. But these vouchers afford no evidence that the money paid was at the instance of any competent authority, or even in behalf or for the use of the militia in *actual service*. Voucher 20 is in the form of an order, directing the delivery of a stated quantity of grain to the person named therein, whose receipt to Schonmaker, it is stated, would entitle him (Schonmaker) to payment; and from the fact that no such receipt is found among the papers, or its loss accounted for, the presumption is that it was presented and paid.

Of the remaining sum alleged to have been expended, amounting to over \$48,000, there does not appear, from the vouchers produced, a single item that by any latitude of implication could be made a charge against the government. The name of no officer, commissary, or public agent, appears upon the face of these papers. Nor do they pretend to be anything other than evidences of individual transactions, which they undoubtedly were. It is hardly conceivable that the wants of the command intrusted to Captain Schonmaker, or the wants of the service with which he was connected, should, within two years, require an individual expenditure, even in continental money, of over \$40,000 for the single article of rum, while less than \$3,000 sufficed, as shown by the same vouchers, and in the same currency, for the more important articles of flour, salt, and meat.

The affidavits submitted and filed with the papers in this case have been examined carefully, and though they afford abundant *traditional* testimony of the wealth of Captain Schonmaker before the war, and of his destitution after, and that that wealth was seriously impaired by advances made from time to time in the payment of troops and furnishing the continental line and militia with provisions and clothing, yet they fail to indicate to whom they were made, at what time, or in what quantities, or the value of the same. They are indeed but little else than a compilation of family and neighborhood legends—testimonials, we may say, of the virtues and patriotism of Captain Schonmaker, but far from being proofs of a well-founded claim against the United States. The several affiants state what they have heard from the lips of others—little, if anything, from their own knowledge; and, satisfied themselves of the truth of a common report, they inferred losses and sacrifices, without any just perception of the causes that produced them. These may have been improvidences, without occasion, or an overwrought zeal beyond the limits of ordinary prudence. It is enough for the purposes of this report that the records of the State of New York, and of the several departments of the national government, furnish no evidence of any expenditure by Captain Schonmaker for the public service. Nor is there anything among the voluminous papers and exhibits before the committee to show any money or other value advanced, that remains unliquidated and unpaid. True, the proof of payment is not disclosed any more than the proof of indebtedness; but in the absence of tes-

timony to establish the latter, it is a fair presumption, at least, to infer the former.

The committee do not call in doubt the patriotism or public spirit, or the sacrifices, of Captain Schonmaker. They were the common attributes of the men of that age. He had very likely his full share of all, and more than his share of the misfortunes and calamities that embitter life. That the door of his ample mansion was ever open to the houseless and the fugitive, and that its hospitalities were dispensed with a liberal hand, are readily admitted, for such were of the virtues of the day and generation; but, with entire respect to the petitioners, we cannot withhold the remark, that to ask of their country *the price* of charities and generous deeds, is not of that day and generation. It is not material to the present inquiry to know how long Captain Schonmaker served in the revolutionary war, further than that service is connected with the claim we have been considering. The certificate of the comptroller of the State of New York affords proof of but two days' service, and then with his company, searching for disaffected persons in the woods, in 1777, and of his *pay therefor*. It would not be an unreasonable conclusion, that if in that instance he claimed pay in accordance with his rank, he would have also claimed for advances made for the public service at the same time, and at other periods of the war, if any were made.

The memorialists state that Captain Schonmaker became insane about the year 1803, and that the malady was mainly attributable to the losses he had sustained in consequence of the war. The State of New York—if the expenditure was made under the direction of its authorities, and for the benefit of her troops—was at all times liable, and no doubt willing to liquidate the claim. Certain it is, that from the passage of the ordinance of Congress of the 7th May, 1787, and especially of the acts approved August 5, 1790, and January 23, 1792, providing for the settlement of accounts between the United States and individual States, ample notice was given to all the public creditors of the several States to present their claims for adjudication; and the committee find it difficult to understand, as Captain Schonmaker was of sound mind up to the year 1803, that he should, from the close of the war until that period, an interval of more than nineteen years, and with such a notice before him, in the intermediate time seek no settlement with the accounting officers of the State, or in any other manner obtain a recognition of the justice and equity of his claim.

The committee therefore recommend that the claim be rejected.